

कार्यालय : मुख्य निर्वाचन अधिकारी, उत्तराखण्ड
4 - सुभाष रोड़, सचिवालय परिसर, देहरादून - 248001

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फैक्स न० (0135) - 2713724, 2712014

संख्या /XXV-19(3)/2008

देहरादून : दिनांक 03 मार्च, 2009

सेवा में,

समस्त जिलाधिकारी/
जिला निर्वाचन अधिकारी,
उत्तराखण्ड।

विषय:- लोक सभा के लिए आगामी सामान्य निर्वाचन, 2009-आदर्श आचार संहिता के संबंध में आयोग के निर्देशों का प्रेषण।

महोदय,

उपरोक्त विषयक भारत निर्वाचन आयोग के पत्र संख्या 437/6/INST/2008-CC&BE दिनांक 18 फरवरी, 2009 की प्रतिलिपि संलग्न करते हुए मुझे यह कहने का निदेश हुआ है कि लोक सभा सामान्य निर्वाचन, 2009 के दौरान आदर्श आचार संहिता के संबंध में प्राप्त होने वाले शिकायती पत्रों निस्तारण के संबंध में आयोग द्वारा आवश्यक दिशा निर्देश निर्गत किये गये हैं।

कृपया आयोग के निर्देशों का यथासमय कड़ाई से अनुपालन सुनिश्चित करते हेतु उक्त से समस्त रिटर्निंग आफिसरों/सहायक रिटर्निंग आफिसरों, सेक्टर/जोनल मजिस्ट्रेटों, समस्त पीठासीन अधिकारियों एवं समस्त मान्यता प्राप्त राजनैतिक दलों के अध्यक्षों, निर्वाचन लड़ने वाले अभ्यर्थियों आदि को अवगत कराने का कष्ट करें।

संलग्न-यथोपरि।

भवदीया,

(डा० हेमलता ढौंडियाल)
मुख्य निर्वाचन अधिकारी

पृ० संख्या 199 /XXV-19(3)/2008, तददिनांकित।

प्रतिलिपि निम्नांकित को आयोग के पत्र की प्रति सहित सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. मण्डलायुक्त, गढ़वाल/कुमायूँ मण्डल।
2. समस्त मान्यता प्राप्त राजनैतिक दलों के प्रदेश अध्यक्ष।

संलग्न-यथोपरि।

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2008-CC&BE

Dated:18th February, 2009

To

The Chief Electoral Officers of
all States and Union Territories.

Subject: Model Code of Conduct – Compliance in letter and spirit– regarding.

Sir/Madam,

A copy of a letter sent to all recognized National and State political parties, regarding adherence to the provisions of the Model Code of Conduct, Election Law, IPC etc. in connection with electioneering, which is self-explanatory, is enclosed.

2. In this context, the Commission has directed that the following actions are required to be taken on the part of the Chief Electoral Officers/District Election Officers/Returning Officers/Observers:-

(i) The campaign by the leaders specified under Section 77(1) [star campaigners] should be meticulously tracked. Any violation committed by candidate set up by recognized parties or by the star campaigners during campaign should invariably be reported to the Commission for immediate follow up action at the level of the Commission so that the action receives required visibility.

(ii) The Chief Electoral Officers and District Election Officers shall maintain a party-wise register to track the instances of violations being committed by various candidates and campaigners of various political parties. This should be a sort of daily register indicating names of the candidate, campaigner and political party. Brief description of violation, date of violation, follow up action taken and the order passed by any election official/the Commission, if any.

(iii) The above document (violation index) should also to be put in public domain so that interested parties including the media can pick up the input and this may work as a deterrence for the candidates and political parties against indulging in any violation.

3. These instructions may be brought to the notice of the District Election Officers and Returning Officers in the State. A copy of the enclosed letter addressed to the political parties may be handed over to each of the political parties based in your State/Union Territory, including registered unrecognized parties.

Yours faithfully,

(K. AJAY KUMAR)
SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2008-CC&BE

Dated:18th February, 2009

To

All Recognized National and
State Political Parties

Subject: Model Code of Conduct – Compliance in letter and spirit– regarding.

Sir/Madam,

The Model Code of Conduct for political parties and candidates comes into force immediately on announcement of elections. During the electioneering, several instances of violation of the provisions of the Model Code of Conduct come up for decision of the Commission. Incidents of violation are reported against individual functionaries/leaders of political parties apart from candidates themselves. Communal/religious references in election campaign, character assassination, use of religious places for election purpose, bribing of electors, etc. are some of the most commonly reported cases of violation by candidates and representatives of political parties.

When cases of violation of Model Code of Conduct or provisions of law are brought to its notice, the Commission, in appropriate cases, issues notice to the person concerned. If the violation is attributed to important leaders of political parties, notices are also issued to the political party concerned. **For clarity and uniformity in such matters, the Commission has decided that in future, in cases involving violation of Model Code of Conduct or any provision of law by any candidate duly set up by the party, or by the leaders of political parties whose names have been communicated by the party to the Election Commission/Chief Electoral Officer in terms of Explanations 1 & 2 under sub-section (1) of Section 77 of Representation of the People Act, 1951, if notice is issued to any such leader, or any candidate of the political party, a notice will also be issued to the political party concerned. It may be noted that leaders are nominated by the political parties under the aforesaid Explanation Clauses ‘for propagating programme of the political party’. Therefore, it would only be reasonable and**

political party concerned responsible for any act of omission or commission by such leaders. In this context, attention of political parties is also invited to the provisions of paragraph 16A of the Election Symbols (Reservation and Allotment) Order, 1968.

In view of the above, all political parties are advised to appropriately brief the leaders nominated by them, so that the Model Code of Conduct and provisions of law are followed in letter and spirit by all concerned.

Yours faithfully,

(K. AJAY KUMAR)
SECRETARY